

UNITED STATES DISTRICT COURT
 for the
 Eastern District of Washington

FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

Oct 24, 2017

United States of America)
 v.)
) Case No. 1:17-mj-04193-MKD
)
 PATRICK DALE CULPS JR.)
 Defendant)

SEAN F. McAVOY, CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 10/17/2017 in the county of Yakima in the Eastern District of Washington, the defendant violated 18 U. S. C. § 922(g)(1), an offense described as follows:

having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Assault 1st Degree, did knowingly and intentionally receive and possess in and affecting commerce, a firearm, to wit, a 12 gauge Mossberg Shotgun, which had been shipped and transported in interstate commerce.

This criminal complaint is based on these facts:

Continued on the attached sheet.



Complainant's signature

Peter Orth, Special Agent FBI

Printed name and title

- Sworn to telephonically and signed electronically.
 Sworn to before me and signed in my presence.

Date:

10/24/2017

City and state: Yakima, Washington

MARY K. DIMKE, U.S. Magistrate Judge

Printed name and title



Judge's signature

COMPLAINT ATTACHMENT

1. On October 17, 2017, Yakama Nation Police Department (“YNPD”) Officer Raymond Enriquez (“Officer Enriquez”) was on patrol and observed a silver Lexus sedan on Medicine Valley Road in White Swan, Washington. The Lexus matched the description of a stolen vehicle of which Officer Enriquez was aware. Officer Enriquez ran the Washington State license plate, ATV9850, and confirmed that the Lexus was reported as stolen from victim J.Z. Officer Enriquez maneuvered his patrol vehicle and recognized the driver of the Lexus as Patrick Dale Culps Jr. (“CULPS.”) Officer Enriquez also knew CULPS to be an enrolled member of the Confederated Bands and Tribes of the Yakama Nation, a member of the “East Side Piru” criminal gang, and a convicted felon. Officer Enriquez also observed a passenger in the front of the Lexus, later identified as Shaina Ladawn Lucei (“Lucei.”)
2. Officer Enriquez pursued the Lexus. The Lexus fled at speeds of approximately 80 miles per hour. Officer Enriquez observed the Lexus fail to slow down or stop at multiple stop signs. He also observed the Lexus nearly strike several uninvolved vehicles on public roadways. Officer Enriquez characterized the pursuit as “extremely dangerous.”

3. Eventually, the Lexus popped a rear tire and came to a stop. CULPS exited the driver's seat of the Lexus and fled on foot. Officer Enriquez pursued CULPS on foot, ordering him to halt multiple times. CULPS did not obey Officer Enriquez's commands. Eventually, CULPS stopped running as he appeared exhausted. However, CLUPS continued to disobey Officer Enriquez's commands. At this point, multiple officers from the YNPD were on scene and arrived to assist Officer Enriquez. CULPS ultimately obeyed the officers' commands, was handcuffed, told he was under arrest, and placed in the back of a YNPD patrol vehicle.

4. Officer Enriquez approached the Lexus and observed two firearms in plain view. One firearm was located between the driver's seat and center console. It was subsequently identified as a 12 gauge Mossberg Shotgun, and had been reported stolen from victim F.E. The other firearm was a .30-.30 lever action rifle, located between the front passenger seat and center console. CULPS advised Officer Enriquez that he knew the vehicle was stolen and that the weapons did not belong to him. After obtaining a search warrant for the vehicle, Officer Enriquez located multiple rounds of ammunition, including seven 30-30 rounds.

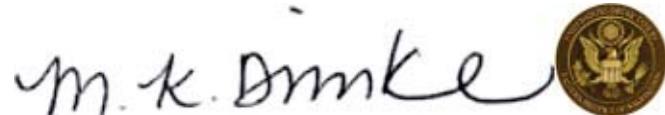
5. On October 18, 2017, Federal Bureau of Investigation (“FBI”) Special Agent P. Orth (“Agent Orth”) interviewed CULPS at the Yakama Nation Tribal Jail. CULPS waived his rights and stated he wished to speak.
6. During the interview, CULPS admitted to handling both weapons in the vehicle as well as some of the ammunition. CULPS stated that he and Lucei had handled the weapons and ammunition after entering the vehicle but before driving it. CULPS also stated that he attempted to elude Officer Enriquez because he knew he had weapons in the vehicle and would get in trouble if caught.
7. On 10/24/2017, Agent Orth spoke with Special Agent J. Eleveld (“Agent Eleveld”) of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Agent Eleveld has been trained as an interstate nexus expert. Agent Eleveld advised that the Mossberg shotgun and the 30-30 ammunition were manufactured outside of Washington State.
8. CULPS has prior felony conviction in both State and Federal Court. CULPS’ felony criminal history includes the following convictions:
 - 11/6/2006 Assault 1 – Attempt – Yakima County Superior Court;
 - 11/6/2006 Possession of a Controlled Substance – Yakima County Superior Court;

- 7/7/2004 Residential Burglary – Yakima County Superior Court; and
- 1/16/1999 Crime on Indian Reservation – Assault Resulting in Serious Bodily Injury – United States District Court Eastern District of Washington.



PETER ORTH, SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Subscribed and sworn to telephonically on this 24th day of October, 2017.



HONORABLE MARY K. DIMKE
United States Magistrate Judge
Eastern District of Washington

